

Sean Halloran
Hartig Rhodes Hoge & Lekisch, P.C.
717 K Street
Anchorage, Alaska 99501
Phone: (907) 276-1592
Fax: (907) 277-4352
Firm email: mail@hartig.com
Attorneys for Teck Cominco Alaska Incorporated

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ENOCH ADAMS, JR., LEROY ADAMS,)	
ANDREW KOENIG, JERRY NORTON,)	
DAVID SWAN, JOSEPH SWAN,)	
Plaintiffs,)	
)	
vs.)	
)	
TECK COMINCO ALASKA)	
INCORPORATED,)	
Defendant,)	
)	
NANA REGIONAL CORPORATION, and)	
NORTHWEST ARCTIC BOROUGH,)	
Intervenor-Defendants.)	Case No.: A04-00049 CV (JWS)
_____)	

JOINT MOTION TO STRIKE

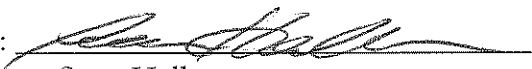
The parties jointly move to strike from the record those documents related to the motion to enforce settlement. Specifically, the parties request that the court strike the following docket entries: 355, 355-2, 355-3, 355-4, 356, 357, 358, 358-2, 358-3, 361, 361-2, 361-3, 361-4, and 361-5.

Teck Cominco filed the motion at issue. It was opposed by the plaintiffs. NANA and the Borough had not yet responded when the motion was mooted by the agreement reached in the recent settlement conference conducted before Judge Burgess. This court has recognized that the motion is moot, and that it is unnecessary for the court to address the issues it presented. [Docket 371.] In light of the fact that no issue was ultimately placed before the court for resolution, and in light of the fact that various documents filed in conjunction with the motion tend to disclose information concerning the settlement negotiations in this case that all the parties prefer to keep confidential, the parties have agreed as part of their settlement to ask the court to strike from the record the motion and its related documents in support and in opposition, and make this request accordingly.

DATED at Anchorage, Alaska, this 21st day of August, 2008.

HARTIG RHODES HOGE & LEKISCH, P.C.
Attorneys for Teck Cominco Alaska Incorporated

By:


Sean Halloran

HELLER EHRMAN WHITE & MCAULIFFE
Attorneys for Nana Regional Corporation, and
Northwest Arctic Borough

By: /s/ James E. Torgerson (Consent)
James E. Torgerson

CENTER ON RACE, POVERTY, & THE
ENVIRONMENT

Attorneys for Plaintiffs Enoch Adams, Jr., Leroy
Adams, Andrew Koenig, Jerry Norton and
Joseph Swan

By: /s/ Luke W. Cole (Consent)
Luke W. Cole

LANDYE BENNETT BLUMSTEIN LLP
Attorneys for Northwest Arctic Borough

By: /s/ David S. Case (Consent)
David S. Case

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2008,
a true and correct copy of the foregoing was served,
via electronic service, on the below identified parties of
record:

Luke W. Cole
Center on Race, Poverty, & the Environment
47 Kearny Street, Suite 804
San Francisco, California 94108

Nancy S. Wainwright (via U.S. Mail only)
Law Offices of Nancy S. Wainwright
13030 Back Road, Suite 555
Anchorage, Alaska 99515-3538

James E. Torgerson
Heller Ehrman White & McAuliffe LLP
510 L Street, Suite 500
Anchorage, Alaska 99501-1959

David S. Case
Landy Bennett Blumstein LLP
701 W. 8th Ave., Suite 1200
Anchorage, AK 99501

/s/ Becky Lewis
Hartig Rhodes Hoge & Lekisch PC